

**BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION**

<b>IN THE MATTER OF THE APPLICATION OF</b>	)	
<b>VOLO COMMUNICATIONS OF IDAHO, INC. FOR</b>	)	<b>CASE NO. VOL-T-03-1</b>
<b>A CERTIFICATE OF PUBLIC CONVENIENCE AND</b>	)	
<b>NECESSITY TO PROVIDE LOCAL EXCHANGE</b>	)	<b>ORDER NO. 29421</b>
<b>TELECOMMUNICATIONS SERVICES.</b>	)	
	)	

---

On November 17, 2003, Volo Communications of Idaho, Inc. ("Volo" or "Company") filed an Application for a Certificate of Public Convenience and Necessity to provide facilities-based and resold competitive local exchange and interexchange services within the State of Idaho. In the Notice of Application and Modified Procedure issued December 15, 2003, the Commission solicited comments regarding Volo's Application. Order No. 29400. No comments were received other than those submitted by Commission Staff. Based on the comments, the law and the record, the Commission grants Volo's Application.

**THE APPLICATION**

Principally located in Altamonte Springs, Florida, Volo is a subsidiary of Volo Communications, Inc., which is a wholly owned subsidiary of Caerus, Inc. Volo is incorporated in the State of Delaware. Volo requests authority to provide competitive local exchange carrier ("CLEC") services through a combination of facilities owned by it and the resale of exchange services of other carriers in the service territories of Qwest and Verizon. According to its Application, Volo has completed interconnection agreement negotiations with BellSouth, Sprint, and is currently completing negotiations with Verizon. Volo plans to offer both voice and data communications services to carrier and business customers in select Idaho locations, although the Company's initial marketing efforts will be focused on the carrier market.

**STAFF COMMENTS**

In its comments filed July 2, 2003, Staff observed that the parent company, Volo Communications, is a relatively new business that began operation in March 2002. The Application included confidential unaudited financial information for Volo Communications for January through August 2003. As expected for a company in the early stages of start-up, this information did not indicate a strong financial position. However, the risk to any individual basic local exchange customer would be limited to the cost of one, and possibly two months

worth of service, which Staff believes is minimal. Therefore, Staff finds that the benefits of a bond or other financial security instrument would be outweighed by the cost of distributing the proceeds and other administrative functions. Therefore, Staff does not recommend imposing a financial security requirement.

Volo specifically indicated in its Application it will comply with all Commission rules. It has provided an illustrative tariff that demonstrates an understanding of tariffing requirements and processes. Staff believes the Company has demonstrated sufficient managerial and technical expertise for the types of services it intends to provide. Therefore, Staff recommends that a Certificate of Public Convenience and Necessity to provide competitive local exchange service be issued to Volo Communications of Idaho, Inc.

### **COMMISSION FINDINGS**

Based on the comments, the law and the record, the Commission grants the Application. When considering an application for a Certificate, the Commission must determine if the applicant has the necessary qualifications to provide service while still fostering competition in the local telecommunications market. Based upon our review of the filing and the record in this case, the Commission finds that Volo's filing satisfies the requirements of the Commission's Rules and Procedural Order No. 26665. *Id.* Thus, we approve Volo's Application for a Certificate of Public Convenience and Necessity to allow the Company to provide telecommunications services statewide. This is consistent with our previous Orders granting statewide authority to provide telecommunications services to carriers meeting the established requirements. Because Volo will not require advance payments or deposits, the Commission finds it reasonable to waive the requirement for Volo to maintain an escrow account.


### **ORDER**

IT IS HEREBY ORDERED that Volo Communications of Idaho, Inc. is granted a Certificate of Public Convenience and Necessity to provide basic local exchange services within the state of Idaho.

THIS IS A FINAL ORDER. Any person interested in this Order or in interlocutory Orders previously issued in this case may petition for reconsideration within twenty-one (21) days of the service date of this Order with regard to any matter decided in this Order or in interlocutory Orders previously issued in this case. Within seven (7) days after any person has

petitioned for reconsideration, any other person may cross-petition for reconsideration. *See Idaho Code* § 61-626.

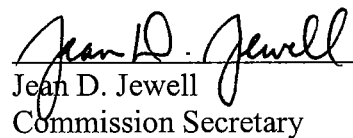
DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho, this 22<sup>nd</sup> day of January 2004.

  
PAUL KJELLANDER, PRESIDENT

  
MARSHA H. SMITH, COMMISSIONER

  
DENNIS S. HANSEN, COMMISSIONER

ATTEST:

  
Jean D. Jewell  
Commission Secretary

O:VOLT0301\_ln2